

REMARKS

In accordance with the foregoing, the specification and claims 3, 4, 8, and 9 have been amended. Claims 1, 2, 5, 6, 7, 10, 13, 14, and 17 have been cancelled. Claims 3, 4, 8, 9, 11, 12, 15, 16 and 18 are pending and under consideration.

PAGE 2 OF ACTION: FOREIGN PRIORITY DATE

The Action indicates that the priority date of November 11, 2000 has been accorded the present application - - pointing out, moreover, that the date claimed is not the date acknowledged in the oath or declaration.

However, the correct priority date is November 16, 2000 - - and which is the date appearing in the declaration and on the certification cover page of the priority document, as filed. Applicant's Japanese counsel has confirmed November 16, 2000 to be the correct priority date, as well.

Accordingly, the Examiner is respectfully requested to either reinstate the November 16, 2000 date or explain the basis for the November 11, 2000 date.

STATUS OF CLAIMS

All of the heretofore pending claims 1-18 are rejected in the outstanding Office Action.

Reconsideration of the rejected claims is respectfully requested.

PAGES 2-4: REJECTION OF CLAIMS 1-4, 8 AND 9 FOR ANTICIPATION BY SELITRENNIKOFF ET AL. ("SELI") U.S. PATENT 6,209,089; AND**PAGES 4-9: NUMEROUS REJECTIONS OF REMAINING CLAIMS FOR OBVIOUSNESS UNDER 35 U.S.C. 103(a) BY "SELI" IN VARYING COMBINATIONS WITH GUSLER ET AL. (PAGE 4) CHEFFETZ (PAGE 5), RODRIGUEZ ET AL. (PAGE 7), RODRIGUEZ IN VIEW OF GUSLER ET AL. (PAGES 7-8 AND RODRIGUEZ ET AL. IN VIEW OF CHEFFETZ (PAGE 8) AND GUSLER IN VIEW OF CHEFFETZ (PAGE 9)**

The rejections are respectfully traversed.

In view of the cancellation of claims 1-2 and the revisions of independent (currently amended) claims 3 and 4 which respectively further include limitations of claims 6 and 5, respectively, it is submitted to be sufficient to point out distinctions of the invention as set forth in claims 3 and 4 with respect to Gusler et al., which is essential to the rejections of those claims 3 and 4.

Likewise, claims 8 and 9 have been amended to clarify features of the invention by

incorporating therein limitations of claims 2, 3, and 6 in the case of claim 8 and limitations of claims 2, 4, and 5 in the case of claim 9 and, for the same reason, it is submitted to be sufficient to point out distinctions of the invention as recited in claims 8 and 9 over Gusler et al.

THE PRESENT INVENTION

According to the present invention, as claimed in newly amended claim 4, all data including images and updated application programs in the hard disc in each of the clients, at the time of backed up, are stored in the server. Therefore, all data including application programs in a hard disc in clients can be restored after the hard discs are replaced, and therefore users in clients do not have to reinstall application programs after the hard discs are replaced. Consequently, this system is more convenient than that of Rodriquez.

Regarding the feature in claim 6, the server keeps logs of processing performed on the clients.

By contrast to the invention as defined in independent claim 4, Gusler discloses a log concerning images sent from the various clients to the server in which the log includes results as to whether or not the images have been successfully pulled from the client, in paragraph [0039] of its specification, but does not disclose the logs of processing performed on the clients.

According to the present invention claimed in newly amended claim 3, the server has a unit keeping logs of processing performed on the clients. Therefore, operators in the clients can utilize the logs for troubleshooting, in particular, when unsuccessfully restoring the previous environment of a client after a hard disc is replaced, the operator can analyze reasons why the restoration has failed; in other words, the log is useful as a key for the operator to consider which procedure recorded in the log caused the failure. Consequently, this system is more useful than that of Gusler because the log can be used for troubleshooting, unlike the Gusler's log of images.

Claim 8, as noted above, is amended to include salient features of the invention as set forth in claims 1-3 and 6, tailored to method claim limitations, consistent with original method recitations of independent claim 8 as originally filed, but providing patentable distinctions corresponding to those of apparatus claim 3.

In like fashion, program claim 9 is amended to incorporate salient features of the invention as heretofore recited in independent claim 1 and dependent claims 2, 4, and 5 and correspondingly is a counterpart of apparatus claim 4 and shares the patentable distinctions of claim 4, noted hereinabove, over the references of record.

LACK OF *PRIMA FACIE* DEMONSTRATION OF OBVIOUSNESS

It is respectfully submitted that the Action fails to provide a *prima facie* demonstration of obviousness in support of the various rejections at pages 4-9 of the Action. The rejections, uniformly, rely on the "it would have been obvious..." contention in support of each of the combinations relied upon. See MPEP 2142-2143.03, which point out that the mere contention of obviousness, as is asserted in support of the rejections herein, is unqualifiedly rejected as insufficient. It follows that the obviousness rejections are deficient and should be withdrawn.

CONCLUSION


In accordance with the foregoing, it is submitted that the pending claims patentably distinguish over references of record taking singularly or any proper combination and, there will be no other objections or rejections, is submitted that the application is in condition for allowance, which action is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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